

## CITY OF SAN BRUNO



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### STAFF

Tambri Heyden AICP, *Community Development Director*  
Aaron Aknin, AICP, *Planning Manager*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Beilin Yu, *Associate Planner*  
Lisa Costa-Sanders, *Contract Planner*  
Tony Rozzi, *Community Development Technician*  
Pamela Thompson, *City Attorney*

### PLANNING COMMISSIONERS

Joe Sammut, *Chair*  
Sujendra Mishra, *Vice-Chair*  
Mary Lou Johnson  
Bob Marshall Jr.  
Kevin Chase  
Rick Biasotti  
Perry Petersen

## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING COMMISSION MINUTES

September 20, 2005  
San Bruno Senior Center  
1555 Crystal Springs Blvd.  
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:01pm

### ROLL CALL

	<u>Present</u>	<u>Absent</u>
Chair Sammut	X	
Vice Chair Mishra	X	
Commissioner Johnson	X	
Commissioner Marshall	X	
Commissioner Chase	X	
Commissioner Biasotti	X	
Commissioner Petersen	X	

### STAFF PRESENT:

Planning Division: Community Development Director: Tambri Heyden  
Interim Community Development Director: Terry Jackson  
Housing and Redevelopment Manager: Mark Sullivan  
Planning Manager: Aaron Aknin  
Associate Planner: Beilin Yu  
Community Development Technician: Tony Rozzi

City Attorney: Pamela Thompson

**1. Approval of Minutes – September 6, 2005**

**Motion to Approve Minutes of September 6, 2005 Planning Commission meeting**

**Petersen/Biasotti**

VOTE: 7-0  
AYES: All Commissioners Present  
NOES:  
ABSTAIN:

**2. Communication**

Planning Manager Aknin formally introduced Tambri Heyden as the new Community Development Director.

Chair Sammut welcomed Community Development Director Heyden on behalf of the Commission.

**3. Public Comment**

None at this time.

**4. 1631 Claremont Drive**

Request for a Conditional Use Permit and a Minor Modification to allow the construction of a first story addition which cumulatively with additions approved in the past, proposes to increase the existing floor area by more than 50%, exceeds the .55 Floor Area Ratio guideline, the 44% Lot Coverage guideline; and proposes to encroach 2'-0" into the required 5'-0" side yard setback per Sections 12.200.030.B.1 and 12.200.080.A.3 of the San Bruno Zoning Ordinance. – Jose and Maria Tovar (Applicant/Owner) **UP-05-42, MM-05-11**

Planning Manager Aknin presented to the Commission a signed letter of withdrawal from the applicant. As of 9/19/05, the application has been withdrawn.

**5. 252 Florida Avenue**

Request for a Conditional Use Permit and a variance Permit to allow the construction of a first floor addition to an existing residence, which does not contain a garage and which encroaches into the required front and rear setbacks per Section 12.200.030.B.1 of the

Associate Planner Yu entered staff report.

Chair Sammut asked the Applicant to introduce the project and address the Commission.

Applicant Bruce Bolinger, designer for the project, stated that the family who owns the property found out that the existing second unit was non-conforming and non-permitted. The owners decided to purchase the property and do whatever was needed to make the existing structure conforming. Now, they have decided to add on to the existing home to convert the single bedroom house into a two-bedroom house so as to start a family.

Chair Sammut asked if the applicant had read and agreed to the Conditions of Approval. Applicant answered in the affirmative.

Public comment opened.

Public comment closed.

Commissioner Johnson stated that she visited the site and it would be impossible for a garage to be put on the lot. Commissioner Johnson thought that the project was designed as best as possible under the lot constraints and she would be in support of it.

**Motion to approve Use Permit 05-54 and Variance 05-07 subject to Findings of Fact 1-10 and Conditions of Approval 1-11**

**Johnson/Marshall**

VOTE: 7-0  
AYES: All Commissioners Present  
NOES:  
ABSTAIN:

**FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by mailing notices to property owners within 300 feet of the project site on Friday, September 9, 2005, and legal notice published in the San Mateo Times, Saturday, September 10, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action

to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.

4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Minor expansion to an existing facility.
5. The general appearance of the proposed addition is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property because the design and materials will match the materials found in the immediate neighborhood and the proportions of the house are similar to other houses in the neighborhood.
6. The proposed addition will not unreasonably restrict or interfere with light and air on the property and other properties in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof, and is consistent with the design and scale of the neighborhood.
7. The construction of the new addition is consistent with the San Bruno General Plan, which designates the property for single-family residential purposes.
8. The subject property is not large enough to accommodate the small residence and the required off-street parking.
9. The lot is substantially smaller than the minimum required by the City's Development Code and is uniquely shallower for the neighborhood, therefore the strict application of the setback requirement will deprive the subject property of privileges enjoyed by other properties in the vicinity.
10. Because redesigning the master bedroom addition to meet the required setback would make the use of the master bedroom impractical, the granting of the Variance will not constitute a grant of a special privilege inconsistent with the limitations upon other properties in the vicinity.

### **CONDITIONS FOR APPROVAL**

#### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Department of Planning and Building within 30 days of Planning Commission approval. Until such time as the Summary is filed, Variance 05-07 and Use Permit 05-54 shall not be valid for any purpose. Variance 05-07 and Use Permit 05-54 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Variance and Use Permit for an addition shall be built according to plans approved by the Planning Commission on September 20, 2005, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit.

**Department of Public Works – (650) 616-7065**

7. The applicant must obtain an encroachment permit through the Public Works Department prior to issuance of the Building Permit.
8. A sanitary sewer lateral clean-out shall be installed at property line, per City standards detail SS-01.
9. Storm water from new and existing roof downspouts and other on-site drainage shall be collected and drained to an underground storm water drainage system or through a curb drain to the gutter.
10. Paint address number on face of curb near driveway approach. Black lettering on white background.
11. No fence, retaining wall or other permanent structure shall be placed within 2' from back of the sidewalk.

Chair Sammut advised of 10-day appeal period.

**6. 115 El Camino Real**

Request for a Use Permit to allow a Motorcycle Repair and Accessories Store (Motorcycle Madness) in a Neighborhood Commercial District; per Sections

12.96.110(c)(4)– Marcus Melendez (applicant/business owner) Joe Welch (property owner) **UP 05-53**

Planning Manager Aknin entered staff report.

**Commissioner Chase and Vice-Chair Mishra entered at 7:11 pm.**

Chair Sammut asked applicant to introduce the project and address the Commission.

Applicant Marcus Melendez stated that he applied to the Planning Commission three years ago. In their current location within a residential area, they have operated three years complaint free. The applicant would like to expand his business to the new, larger location.

Commissioner Petersen stated that in the staff report there would be minor installations on the property. Commissioner Petersen asked for clarification on the site's intended use. Applicant answered that they would complete minor repairs as well, including spark plugs, oil changes, tune-ups and brake pads. With a larger location, Applicant would like to sell clothing and accessories and eventually move away from repair service. Applicant added that he would like to move into used motorcycle sales eventually like the used car dealer next door. Commissioner Petersen explained that he wanted to better understand the extent of the activity since the staff report did not mention minor repair activity.

Commissioner Johnson asked if the applicant would be keeping the same hours of operation. Applicant answered that because of the larger location, the store will be a bit more structured with the increased staff. They will be open 9 a.m. until 7 p.m., Monday through Saturday.

Chair Sammut asked if the applicant had read and agreed to the Conditions of Approval. Applicant answered in the affirmative.

Public comment opened.

Public comment closed.

Commissioner Petersen asked if it were appropriate to make changes in the staff report to reflect the proposed use of minor repair and changed hours of operation. Planning Manager Aknin answered in the affirmative.

**Motion to approve Use Permit 05-53 subject to Findings of Fact 1-8 and Conditions of Approval 1-13.**

**Petersen/Chase**

VOTE: 7-0 passed  
AYES: All Commissioners Present  
NOES:

ABSTAIN:

### **FINDINGS FOR APPROVAL**

1. Proper notice of the public hearing was given by legal notice published in the San Bruno Herald, Saturday, September 10, 2005, and notices were mailed to property owners within 300 feet of the project site on September 9, 2005.
2. Noticing of the public hearing, conduct of said hearing, and an opportunity for all parties to present testimony was completed in accordance with the San Bruno Municipal Code, Article III, Zoning, and Chapter 12.132.
3. The applicant has been notified, both verbally and in writing herein, of the City's provision for an administrative appeal of the Planning Commission's final action to the City Council as provided for in the San Bruno Municipal Code, Article III, Chapter 12.140.
4. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Existing Facilities.
5. The general appearance of the business is in keeping with the character of the neighborhood and will not be detrimental to the adjacent real property.
6. The subject property is in the San Bruno Redevelopment Area.
7. The proposed project will not be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood, or to the general welfare of the city.
8. The proposed use permit is consistent with the San Bruno General Plan and San Bruno Redevelopment Plan.

### **CONDITIONS FOR APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 05-53 shall not be valid for any purpose.
2. Any modification to the approved plans and conditions shall require prior approval by the Community Development Director.
3. All repair and installation work shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

4. All installations and light repair work shall be done inside the garage area of 115 El Camino Real. No outside repair may be conducted.
5. No motorcycles sales may occur onsite.
6. The curb cut and sidewalk shall be kept clear at all times.
7. The motorcycles shall only be tested on El Camino Real. Motorcycles shall not be tested on any residential neighborhoods.
8. All garage and trash areas shall be kept inside or screened from public view.
9. Business activities shall be limited to retail sales, motorcycle accessory installation, and light motorcycle repair work. No motorcycles or motor vehicles shall be sold on the premises, and no heavy repair and bodywork shall be done on the premises.
10. The garage and retail area as noted on the floor plan shall only be used for the operation of "Motorcycle Madness"; no living area shall be permitted on the premises.
11. Any new signs on the property require a sign permit.
12. The applicant must obtain all necessary Building Division approvals.
13. This application is subject to all future Fire Department conditions.

Chair Sammut advised of 10-day appeal period.

## **7. Capital Improvement Program (CIP)**

Request for adoption of a resolution confirming review of the 2005-2006 San Bruno Capital Improvement Budget and its conformance with the San Bruno General Plan.

Housing and Redevelopment Manager Sullivan entered staff report.

Commissioner Chase stated that he was uncomfortable passing the resolution since he did not have much time to read the staff report or Capital Improvement Budget.

Housing and Redevelopment Manager Sullivan stated that the CIP budget is approved each year. Typically, nothing in the budget is unusual or new except for the different projects and nothing in the CIP is contrary to the policies or goals of the General Plan. Housing and Redevelopment Manager Sullivan also mentioned that the City of San Bruno Finance Director Jim O'Leary was available to answer any questions.

Commissioner Chase asked if City Attorney Thompson approved of the CIP Budget.



City Attorney Thompson answered that the Commission was looking at the CIP's consistency with the General Plan on a factual basis and not from a legal perspective.

Chair Sammut stated that the Commission could adopt the resolution if there was no more discussion.

**Motion to approve Resolution 2005-10 confirming review of the 2005-2006 San Bruno Capital Improvement Budget and its conformance with the San Bruno General Plan.**

**Biasotti/Johnson**

**Roll Call vote: Motion to approve Resolution 2005-10**

VOTE: 7-0  
AYES: All Commissioners Present  
NOES:  
ABSTAIN:

**Motion Approved 7-0**

Commissioner Petersen asked City attorney if it was important to waive the reading of the Resolution as part of the motion. City Attorney Thompson answered in the negative.

Public Comment Open

Public comment closed.

**8. City Staff Discussion**

Planning Manager Akin asked for volunteers to the October 13, 2005 Architectural Review Committee. Commissioners Biasotti, Chase and Vice-Chair Mishra agreed to attend.

Planning Manager Akin asked that any Commissioners interested in Planning Commission training contact him. Typically, the newest Commissioners attend but anyone who is interested can find out more details as the training date gets closer. Commissioner Biasotti, Chair Sammut and Vice Chair Mishra were noted as the only Commissioners who have never attended.

Commissioner Johnson announced it was really worth it and she was glad that the training was back in the budget.

## **9. Planning Commission Discussion**

Vice Chair Mishra thanked staff for the CIP Budget and asked staff for more time next year to review it. Planning Manager Akinin agreed to circulate the CIP Budget a few weeks before the applicable Commission meeting.

Commissioner Johnson said that she might be out of town during the dates October 10<sup>th</sup> through the 18<sup>th</sup>.

## **10. Adjournment**

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**Tambri Heyden**

Secretary to the Planning Commission  
City of San Bruno

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**Joe Sammut**, Chair

Planning Commission  
City of San Bruno

NEXT MEETING: October 18, 2005

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Meeting was adjourned at 7:26 pm